CONTRACTUAL AGREEMENT BETWEEN

DISTRICT AND CONTRACTOR FOR

GROUNDS MAINTENANCE (NON-ATHLETIC) SERVICES

This contract is made on the 1st day of July 2021, by and between Beaufort County School District (BCSD) and The Greenery, Inc. (Contractor).

The Project is to acquire all services, materials, and equipment to provide Grounds Maintenance (Non-Athletic) Services for BCSD.

The parties hereto do agree as follows in consideration of the mutual promises, covenants and agreements as hereinafter set forth.

1. **TERMS AND CONDITIONS.** Contractor certifies that the scope of work/specifications and all terms and conditions within the BCSD Best Value Bid (BVB) #21-034 solicitation and the Contractor proposal in response to the BVB shall be made part of the Contract as if incorporated therein.

2. **SCOPE OF WORK.** The contractor shall provide all services, materials, and equipment necessary for Grounds Maintenance (Non-Athletic) services for BCSD to meet requirements within the BCSD Best Value Bid (BVB) #21-034 solicitation. The contractor shall be responsible for the following groups:

   Beaufort 1 Group
   Beaufort 2 Group
   Whale Branch Group
   Bluffton 1 Group
   Bluffton 2 Group

3. **TERM.** This Agreement shall commence on July 1, 2021 and the base term of the agreement shall be for approximately three (3) years, ending June 30, 2024. BCSD has the option to extend the Contract for two (2) additional one (1) year terms. Extensions beyond the five (5) year period require approval of the BCSD Superintendent.

4. **COMPENSATION**. BCSD shall pay the Contractor, per Exhibit A (Price Sheet), Five Hundred One Thousand Six Hundred Ninety Four Dollars and Ninety Eight Cents($501,694.98) annually, or Forty-One Thousand Eight Hundred Seven Dollars and Ninety-One Cents ($41,807.91)

monthly. Annual price adjustments shall be in accordance with Sections 7.1.18, 7.1.19, and 7.1.20 of the BCSD BVB #21-034 solicitation.

5. **INDEPENDENT CONTRACTOR.** The relationship of the Parties hereto shall at all times be that of independent contractor. Nothing in this relationship will create an employer-employee relationship, association, joint venture, partnership, or other form of legal entity or business enterprise between the Parties, their agents, employees or affiliates.

6. **DISPUTE RESOLUTION**. All disputes between the parties hereto under this Agreement must be resolved pursuant to the procedures of the Procurement Code of BCSD.

7. **NOTICES**. All notices, consents, approvals and the like required to be given hereunder shall be given in writing to BCSD at P.O. Drawer 309, Beaufort, S.C. 29901-0309 or to such other address as BCSD shall designate. All notices to the Contractor shall be given to The Greenery, Inc. at P. O. Box 6569, Hilton Head, SC 29938.

8. **WHOLE AGREEMENT**. This document, together with all subordinate and other documents incorporated by reference herein, will constitute the entire agreement between the parties with respect to the subject contained herein, supersedes all prior agreements and understandings, whether written or oral, and may only be modified by an amendment executed in writing by both parties.

The Parties hereto have duly executed this Agreement on the date first set forth above.

AGREED:

The Greenery, Inc.

By: MC Brock

Melissa Brock,
Director of Business Development

Beaufort County School District

By: _____

Dr. Frank Rodriguez,
Superintendent

Exhibit A

PRICE SHEET

BEAUFORT 1 GROUP

Beaufort Middle School
Mossy Oaks Elementary School
Beaufort Elementary School
Port Royal Elementary School
1300 King Street (Adult Education Campus)

BEAUFORT 1 GROUP ANNUAL COST **$77,770.68**

BEAUFORT 2 GROUP

Beaufort High School
Lady's Island Middle School
Lady's Island Elementary School
Coosa Elementary School
St. Helena Elementary School

BEAUFORT 2 GROUP ANNUAL COST **$130,512.50**

WHALE BRANCH GROUP

Whale Branch Early College High School
Whale Branch Middle School
Whale Branch Elementary School
James J. Davis Early Childhood Center

WHALE BRANCH GROUP ANNUAL COST **$146,735.45**

BLUFFTON 1 GROUP

Bluffton High School
H. E. McCracken Middle School
Bluffton Elementary School
Bluffton Early Childhood Center

BLUFFTON 1 GROUP ANNUAL COST	**$72,683.15**

BLUFFTON 2 GROUP

M. C. Riley Elementary School
M. C. Riley Early Childhood Center
Bluffton Maintenance Annex
Red Cedar Elementary School

BLUFFTON 2 GROUP ANNUAL COST	**$73,993.20**
TOTAL ANNUAL COST	**$501,694.98**